

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

DANIEL IAN WEINER,
Plaintiff,
v.
BRENDAN F. KELLY, in his official
capacity as Director of the Illinois State
Police, and ELIZABETH LEAHY, in her
official capacity as Illinois State Police
Firearm Safety Office Counsel,
Defendants.

DECLARATION OF DANIEL IAN WEINER

I, Daniel Ian Weiner, am competent to state, and declare and certify the following based on the best of my personal knowledge, experience, and belief:

1. I, Daniel Ian Weiner, make this Declaration pursuant to 28 U.S.C. §

2. I am the Plaintiff in this matter.

3. I am a citizen of Illinois and am over eighteen years of age.

4. On July 12, 2022, the Chicago Police Department received a tip

regarding me, which was submitted by an individual ("S.A."). This tip apparently concerned an alleged threat of violence on my part, as well as claims regarding my mental state and my possession of an "assault weapon." None of this was true and the tip was in its entirety a hoax by S.A.

5. However, though the information from S.A. was false, as a result of S.A.'s tip and following Chicago Police's investigation – which involved a completely uneventful visit to my residence in the middle of the night - the Chicago Police Department completed Clear and Present Danger Request and Recommendation forms and submitted them to the Illinois State Police ("ISP").

6. Following the Chicago Police Department's submission of Clear and Present Danger Request and Recommendation forms to the ISP, which was based on the false information provided by S.A., the ISP revoked my Firearm Owners Identification ("FOID") Card and Concealed Carry License ("CCL") pursuant to Section 65/8(f) of the Illinois Firearm Owners Identification Card Act ("FOID Card Act"), 430 ILCS 65/1, *et seq.*

7. To provide further detail of the events described above, I incorporate Paragraphs 8-31 of the Statement of Facts section of my Complaint (Dkt. #1, 1:22 CV 7239) as if fully restated herein.

8. I have since learned that the ISP has further investigated the tip submitted by S.A., and the ISP has determined that S.A. has credibility issues that were not known to the ISP at the time the Clear and Present Danger report was made. All of this further confirms my assertion that the factual basis for submitting the Clear and Present Danger Request, and for the ISP's Clear and Present Danger FOID and CCL revocation, did not exist in the first place.

I DECLARE UNDER PENALTY OF PERJURY THAT THE FOREGOING IS
TRUE AND CORRECT.

Executed on April 26, 2023



Daniel Ian Weiner